

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RAPTOR TRADING SYSTEMS, INC.,

Plaintiff,

v.

BETH, *et al.*,

Defendants.

WALLACH, *et al.*,

Plaintiffs,

v.

LARDOS, *et al.*,

Defendants.

**USDC-SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#:  
DATE FILED: 9-3-20**

16-CV-3430 (RA)

ORDER

16-CV-5392 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

For the reasons stated at today's hearing, summary judgment is granted to Plaintiff Raptor on Defendants Wallach and Beth's counterclaim for declaratory relief that "all principal and interest owed under the Promissory Note be accelerated and be deemed immediately due and owing." Dkt. 53 ¶ 135(c). The remainder of the parties' summary judgment motions are denied.

It is further ordered that no later than September 17, 2020, the parties shall submit a joint letter to the Court:

- (1) proposing a schedule for additional discovery and trial,
- (2) informing the Court whether the parties consent to resume settlement negotiations before a magistrate judge or mediation,

(3) informing the Court whether the parties intend to proceed with a bench trial or a jury trial, and whether they consent to holding trial remotely, and

(4) addressing whether the issues presented in pending motions at Dkt. 112 and Dkt. 115 in case No. 16-cv-3430 and at Dkt. 97 and Dkt. 100 in case No. 16-cv-5392 still require resolution.

The Clerk of Court is respectfully directed to terminate the motions pending at Dkt. 100 and Dkt. 104 in case No. 16-cv-3430 and the motions pending at Dkt. 85 and Dkt. 89 in case No. 16-cv-5392.

SO ORDERED.

Dated: September 3, 2020  
New York, New York

A handwritten signature in blue ink, appearing to read 'Ronnie Abrams', is written over a horizontal line.

RONNIE ABRAMS  
United States District Judge